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Committee on the Rights of the Child
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Summary record of the 2118th meeting
Held at the Palais Wilson, Geneva, on Wednesday, 25 May 2016, at 3 p.m.

Chair: Mr. Mezmur

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The meeting was called to order at 3 p.m.

Consideration of reports of States parties (*continued*)

Fifth periodic report of Pakistan (CRC/C/PAK/5; CRC/C/PAK/Q/5 and Add.1)

1. *At the invitation of the Chair, the delegation of Pakistan took places at the Committee table.*

2. **Mr. Khan** (Pakistan), introducing the fifth periodic report of Pakistan (CRC/C/PAK/5), said that around half of the population of Pakistan were children and that protecting their rights was a national priority. Despite challenges including terrorism, extremism and a limited budget, the Government had implemented a wide range of legislative, policy and administrative measures designed to protect and uphold the rights enshrined in the Convention. In addition, Pakistan had ratified a number of additional international human rights instruments, including the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, since the submission of its last periodic report, and the Government was close to concluding ratification of the Optional Protocol on the involvement of children in armed conflict.

3. The eighteenth constitutional amendment, enacted in 2010, had devolved legislative and administrative competence for matters involving child rights to the provincial authorities. The amendment had also enshrined the right to education within the domestic legal framework. Other significant legislative developments in the period under review had included amendments to the Penal Code to enhance protection for all children against all forms of abuse, a revision of the Prevention of Anti-Women Practices Act to enhance specific protection for women and girls, and the adoption of new legislation prohibiting child marriage at both the provincial and federal levels. For example, in 2013 the Sindh Assembly had passed the Sindh Child Marriage Restraint Act, which criminalized marriage under the age of 18 years.

4. A dedicated Ministry of Human Rights had been established in November 2015 to oversee all human rights issues, a bill to establish a National Commission on the Rights of the Child was currently under consideration, and all provinces had established their own human rights departments. Provincial child welfare and development commissions had also been established, which liaised and coordinated their activities with the National Commission for Child Welfare and Development. The National Action Plan to improve the human rights situation approved in February 2016 was focused on policy measures that would enhance the situation of children and had been assigned a budget of 400 million rupees for awareness-raising, educational, research and dissemination activities.

5. Governments at the federal and provincial levels had allocated significant funds to implementation of the 2009 National Education Policy, resulting in an increase of almost 48 per cent in the national education budget for 2015/16 relative to the 2012/13 budget. Reforms of the madrasa system had also been carried out, and it had been agreed that contemporary subjects would henceforth be included in their curricula alongside traditional religious education.

6. The budget earmarked for health had also been increased, with funding of 114.22 billion rupees having been allocated to the sector for 2014/15. To date, over 110,000 women had been recruited under the Lady Health Workers programme, which was proving successful in increasing polio immunization rates.

7. The Government was committed to protecting children against violence and, to better tackle the issue of abuse, in 2016 had enacted the Criminal Law Amendment Act,

which contained provisions addressing child pornography, trafficking and sexual abuse and criminalized any form of physical or psychological violence against children. A national communication campaign to raise awareness of the negative consequences of child abuse among relevant stakeholders had been carried out and, with support from the United Nations Children's Fund (UNICEF), the Ministry of Human Rights was engaged in a nationwide campaign to end violence against children that was focused on the prevention of corporal punishment in particular.

8. New legislation had been enacted at the provincial level to prevent the employment of minors in certain occupations and in hazardous places. With support from the Asian Development Bank, the Government had also taken various steps to eliminate child labour. Efforts to improve protection for minorities and other vulnerable groups, meanwhile, had included the implementation of a new code of conduct issued by the Ministry of Information, Broadcasting and National Heritage under which electronic media were required to ensure that no hate speech was aired in their programmes. To oversee and coordinate those and other measures, and thus ensure compliance with the State's obligations under the Convention and other international instruments to which it was a party, treaty implementation cells were being established at both the federal and provincial levels.

9. **Ms. Muhamad Shariff** (Coordinator, Country Task Force) said that, despite its progress in numerous fields, the State party had not implemented many of the recommendations contained in the Committee's previous concluding observations (CRC/C/PAK/CO/3-4) and many national and provincial laws had still not been harmonized with the Convention. Considerable powers had been devolved to the provincial authorities following the eighteenth constitutional amendment, with the result that significant disparities now existed between the child rights situation in different parts of the country. Furthermore, since many federal laws on the rights of the child had not been retained by provincial governments, there was no legislative uniformity. She was particularly concerned about the negative implications of the Anti-Terrorism Act for the rights of the child.

10. She would like to know of any plans to review the application of sharia law in Pakistan. With regard to the distribution of State funds, noting that the gap apparent between allocation and outlay suggested that available funds were being underutilized and might not always benefit the intended target group, she asked whether there was a specific budget allocated to children's issues and whether the Government planned to establish a monitoring system to assess the effectiveness of budget allocations to specific measures and programmes that promoted children's rights. Noting also that the State party had not provided disaggregated data but had indicated that it was in the process of establishing improved data-collection mechanisms, she invited the delegation to provide an update on progress in that area.

11. She would like more information about cooperation with NGOs, including details of how cooperation agreements were formalized. Were memorandums of understanding signed before the Government engaged with a given NGO? Referring to reports indicating that foreign NGOs were often treated with suspicion and sometimes met with hostility, she asked what was being done to remedy that situation.

12. The definition of a child contained in the nation's various laws was inconsistent. In particular, the definitions contained in provincial laws differed from those established under national law and the definition established in sharia law differed from the secular definition. For example, under the Sindh Child Marriage Restraint Act a child was considered to be a person under 18 years of age while in laws in place in the rest of the country a child was

defined as a person under 16 years of age. What steps would be taken to align laws across the State party with the Convention?

13. She would like to know what was being done to overcome the gender-based discrimination that girls reportedly faced, and especially girls belonging to minority groups, and what action was envisaged to ensure that the best interests of the child principle was comprehensively incorporated into national and provincial law. Provision for the establishment of a permanent mechanism for consultation with children on law and policy should also be expressly incorporated into national law.

14. Given the importance of birth registration in the determination of a child's age, which was in turn significant in the application of a range of laws, the State party's low registration rate was a source of concern. Information about the efficacy of measures to improve the birth registration rate implemented with support from UNICEF would therefore be appreciated, including, in particular, information about any efforts to facilitate birth registration for asylum seekers and stateless persons.

15. She would also like information about the status of the Youth Parliament and other child-led organizations active in the State party. How easy was it for children to set up and register such bodies, and were children who did not have an identity card still able to set up a child-led organization? With regard to electronic media, she would like to know whether age-appropriate, locally produced programmes were available. Turning lastly to freedom of expression, she asked what was being done to ensure that the voices of children belonging to marginalized and minority groups were heard and that their views were taken into consideration.

16. **Ms. Aho Assouma** (Country Task Force) said that the Committee was concerned about the use of the death penalty in the State party and, in particular, about the execution of five minors in 2015, especially since there was a risk that the age of children who lacked birth certificates might be determined incorrectly. Noting that a number of minors were currently on death row in the State party, she asked whether children were able to appeal against their sentences; whether the State party would consider pardoning them, or at least commuting their sentence to life imprisonment; whether minors involved in acts of terrorism could have their cases heard before juvenile courts; and what steps were taken to ensure that their age was accurately determined.

17. Expressing concern about the incidence of honour crimes, acid attacks and infanticide — crimes in which the victims were almost always women or girls — and about the prevalence of violence against women and girls throughout the State party in general, she asked what was being done, in view of the currently low rate of prosecution, to ensure that the perpetrators of such crimes were brought to justice and were sentenced appropriately.

18. She would like details of any emergency response plans in place, including details of measures taken to protect schools against natural disaster and provide for their reconstruction in the wake of such a disaster. In view of the large number of child deaths attributable to malnutrition, she would also like to know about the State party's plans for combating malnutrition, especially among children living in extreme poverty.

19. **Mr. Nelson** (Country Task Force) said that the State party's responses to the Committee's request for information on measures taken to protect children belonging to religious minorities against sectarian violence related more to sectarian discrimination than violence. The Committee was concerned about reports of widespread violent attacks against religious minorities and had received information indicating that the police often failed to protect the victims of such crimes, that the perpetrators were rarely convicted and that

children were often directly involved or affected. Furthermore, it appeared that children could be prosecuted under blasphemy laws for offences that carried the death penalty. She would like to know what was being done to address all those issues. Since the Committee had also received information indicating that school textbooks often included derogatory statements about religious minorities, she would like details of any plans to remove such statements from teaching materials, as well as information about the religious education provided to non-Muslim students, who were not required to study Islam. Were those students sometimes forced to study Islam in order to integrate themselves and avoid discrimination?

20. Citing reports indicating that children were frequently subjected to torture and ill-treatment at the hands of the police, she asked what measures were being taken to guarantee the independent investigation of such allegations, how many cases had been investigated, and which body had organized the investigations. She would also like information about the investigations carried out into incidents of alleged ill-treatment of pupils in madrasas and an update on progress towards the adoption of the bill on torture and custodial death, which was still pending before the National Assembly.

21. **Ms. Parsi** (Country Task Force) said that, despite the measures to prohibit corporal punishment described in the State party's report, the Committee noted that no legislation had yet been passed that expressly prohibited corporal punishment in all settings, as called for in the previous concluding observations (CRC/C/PAK/CO/3-4). Corporal punishment was still permitted under section 89 of the Penal Code, the Punjab Destitute and Neglected Children Act and the Frontier Crimes Regulation, for example, while certain forms were prohibited for boys under the Criminal Procedure Code but not for girls. As Pakistan had made a commitment to abolish corporal punishment in all settings at the South Asia Initiative to End Violence against Children, she would like to know what progress had been made with the proposed legislation against corporal punishment; whether it would ban corporal punishment in all settings, including the home; and whether section 89 of the Penal Code would be repealed. Had awareness-raising campaigns been carried out to change the perception of corporal punishment as acceptable?

22. **The Chair** (Country Task Force) said that, in light of the expressions of concern about the need for awareness-raising and human rights education contained in the previous concluding observations, he would appreciate an update on progress and, notably, on the use to which the 400 million-rupee allocation made for that purpose under the Action Plan to improve the human rights situation had been put. He would also like more information on the proposed National Commission on the Rights of the Child. The Committee had received reports that, since devolution under the 2010 amendment to the Constitution, coordination of the implementation of children's rights had become more complicated and there were growing disparities between the various provinces and territories in that regard. If those reports were correct, how was the State party addressing that situation?

23. He would like to know how the State party ensured that the National Commission on Human Rights and the Commissioner for Children of the Office of the Federal Ombudsman were accessible from all round the country. Noting that the Commission was competent to deal only with violations by the armed forces and security services and that the Commissioner for Children could only receive complaints brought against government departments, he asked what impact those bodies were having with regard to the implementation of the Convention in general.

The meeting was suspended at 3.50 p.m. and resumed at 4.05 p.m.

24. **Mr. Khan** (Pakistan) said, with reference to the harmonization of legislation, that the vast majority of federal laws that had been in force at the time of devolution in 2010

remained applicable in the provinces. It was nevertheless true that the provinces had the right to amend that legislation and pass new laws, which could result in divergences. The central authorities had retained responsibility for the country's main criminal legislation, namely the Penal Code, the Criminal Procedure Code and the laws of evidence. The Guardians and Wards Act was no longer part of federal law but it had not been repealed or amended and was still the law of the land. With regard to the application of the Anti-Terrorism Act to minors, he said that the juvenile justice laws prevailed in such cases.

25. Pakistani civil law retained the concept of the "welfare of children" derived from Muslim personal law but, under the influence of the Convention, efforts were being made to introduce the concept of the best interests of the child. As that concept was not defined either in the Convention or in domestic law, the Government was considering developing a definition, on the basis of best practices, in order to provide criteria that would assist administrative and judicial authorities in their actions.

26. There was no statutory basis for consultation with children on law or policy, although children had been engaged in debates on education. However, children's representatives, one boy and one girl, would sit on the National Commission on the Rights of the Child, which would become the supreme guardian of children's rights in Pakistan, and would assist in formulating policy and advising the Government on legislation, monitoring and coordination.

27. As to birth registration, the Government had been working for many years with international organizations such as UNICEF on data-processing systems, awareness-raising for parents and officials, and training and capacity-building. The National Database and Registration Authority had been tasked with ensuring the registration of all children and local governments were now required to register all births and deaths. There were local registration systems that fed into the provincial and national systems, thereby obviating the need to travel to register births. Modern needs effectively compelled parents to register births as otherwise their children would have no identity card, passport or voting rights. As to the registration of non-nationals, he said that every effort was made to persuade refugees, for example, to register with international organizations such as the International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees, but problems still remained.

28. It was true that budget allocations were not always fully spent. Since devolution, in some provinces targets had been achieved, but the problem was generally one of governance in a context of long-standing border conflict that presented numerous challenges, not least in respect of the maintenance of law and order.

29. In the past three years formal partnerships had been agreed with international civil society organizations and the registration process had been simplified. A bill on NGO registration had been drafted and had received the full backing of international NGOs, but had subsequently been dropped after being rejected by local NGOs.

30. Most laws, including, notably, the Majority Act, contained a proper definition of the child, but there were still problems in some of the country's legislation. In particular, the age of marriage was 18 years for men but 16 years or the age of puberty for women. That disparity reflected the predominant interpretation of Muslim law, to which many people were passionately attached. His Government was trying to overcome resistance in order to standardize the age of marriage.

31. As to discrimination against minorities in accessing facilities, the Constitution stated that no distinctions should be made between groups but that provision was not always

observed in social situations. It was not only minorities that suffered: distinctions were sometimes made between the Sunni and Shia populations and from province to province.

32. An amendment to the laws governing honour crimes had been discussed in the Parliament but had not been passed owing to differences of opinion between political groupings. It had, however, been possible to do away with pardon or remission for anyone found guilty of an honour killing and attempts were being made to formulate a broad and satisfactory definition of the offence. The Prime Minister had recently made a public commitment to eliminating honour killing and efforts were being made to spread the idea that honour did not only relate to women, and that killing was killing, whatever form it took.

33. All criminal offenders had the right to file an appeal against their conviction with a provincial high court and the Supreme Court. The Constitution empowered the President to grant pardon, reprieve and respite, and to remit, suspend or commute any sentence passed by any court, tribunal or other authority, which included the death penalty. The Government could call upon the President to exercise that power in the case of miscarriage of justice. While minors were tried separately from adults in special courts, those courts were not presided over by special judges. Under Pakistani law, doctors bore primary responsibility for determining whether a person was under 18 years of age, as birth registration was not universal and birth certificates could easily be forged. A medical certificate confirming a child's age was deemed to be probative evidence by the national courts.

34. The prevalence of honour killings in Pakistan was declining owing to awareness-raising efforts and the harsh penalties prescribed for that offence. However, the Government acknowledged that more needed to be done to combat that scourge.

35. Children had unfortunately been among the victims of acts of retaliation perpetrated by terrorist militants against the recent Pakistani military campaign to regain the country's territory along the border with Afghanistan. The Government had recently allocated additional funds to the armed forces in an attempt to bring the terrorist militants to justice. Contrary to reports received by the Committee, the national courts handed down harsh penalties to persons involved in terrorist activities.

36. **Ms. Janjua** (Pakistan) said that Pakistan was currently hosting 1.5 million registered refugees and the same number of unregistered refugees — a situation that added to the challenges facing the country. While Afghan children could attend the country's schools, receive treatment at its hospitals and use its social services, they could not be registered as Pakistani citizens or be granted permanent leave to remain. It was hoped that all Afghan refugees would be able to return to their country in the near future.

37. Honour killings were deplored by Pakistani society as a whole. It was hoped that stricter enforcement of the laws to prevent and punish honour killings and the Prime Minister's recent public commitments would bring the Government closer to eradicating that scourge.

38. **Ms. Aho Assouma** asked how many cases of honour killings had been successfully prosecuted; what penalties had been imposed on the perpetrators; and how frequently aggrieved parties sought alternatives to criminal prosecution such as the payment of blood money.

39. **Ms. Ayoubi Idrissi** said that she failed to understand how doctors could determine with absolute certainty that a person was under 18 years of age solely on the basis of a medical examination and how the national courts could accept the age stated on a medical certificate at face value given the degree of uncertainty surrounding it. If capital punishment could not be abolished fully, it should only be imposed in a strictly limited set

of circumstances. She asked in how many cases the President had elected to commute the death penalty.

40. **The Chair** said that the Committee had received information to the effect that many of the challenges associated with birth registration were attributable to the complicated nature of the procedure and the fees payable. He asked whether the State party intended to take steps to simplify the procedure and remove all financial barriers to birth registration.

41. The Committee was concerned not only by the legal inconsistencies in the definition of a child contained in secular and sharia law but also by the fact that the Zina and Hadood Ordinances restricted the definition of a female child to girls who were 16 years of age or under or had not yet reached puberty. He asked whether the State party planned to harmonize the definition of a child in all its laws and to amend the Zina and Hadood Ordinances accordingly.

42. The Committee had received reports that, while the Juvenile Justice System Ordinance of 2000 prohibited the imposition of the death penalty on a child, that provision was not applied in all provinces of the country and did not apply in the case of serious offences. He invited the delegation to comment on those reports.

43. **Mr. Tahir** (Pakistan) said that he did not possess up-to-date statistical data on the number of cases of honour killings that had been successfully prosecuted. In 1990, a number of the provisions of Pakistani criminal law had been amended and aligned with sharia law. Those amendments had introduced the possibility of a murderer paying blood money to the family or legal heirs of the deceased person in order to avoid punishment and obtain their pardon. Those amendments had also done away with the defence of grave and sudden provocation that had previously existed under common law and had often been invoked in cases of spousal homicide. The heavy reliance of families upon pardons and the payment of blood money had, in 2005, prompted the Government to pass a law that gave the national courts discretion to decide whether the perpetrator of an honour killing should be subject to criminal prosecution or whether the case should be settled by alternative non-judicial means. The purpose of the bill currently before the national Parliament was to prohibit the payment of blood money or granting of a pardon as an alternative to prosecution in such cases and to remove the discretion currently accorded to the national courts.

44. In some cases, the national courts had no choice but to accept the age of a child stated on a medical certificate. The Government was working with its international partners to improve its birth registration procedure and, while the registration fees payable could vary from district to district, they were not normally prohibitive. Birth registration forms had been simplified and now required parents to supply only basic information.

45. The loss of life resulting from the armed conflict in the country had led the Government to lift the moratorium imposed on the death penalty in cases involving terrorism and other serious offences. However, the Government intended to introduce longer prison sentences as a substitute for the death penalty and, in addition to the President, provincial governors were now also empowered to grant pardon, reprieve and respite, and to remit, suspend or commute any sentence passed by any court, tribunal or other authority. Although those powers were seldom exercised, the President had, on a number of occasions, suspended sentences pending further investigation.

46. Several laws, including the Hadood Ordinance, interpreted puberty to signify the end of childhood. Most of the sexual offences referred to in the Ordinance had been removed and were now punishable under Pakistani criminal law. It would be difficult to introduce

further amendments to the Ordinance because of the importance attached to it by certain segments of society.

47. The Juvenile Justice System Ordinance of 2000 was applied in all provinces of the country, though its application could not be guaranteed in regions not under the central Government's control, such as Kashmir, Gilgit-Baltistan and the Federally Administered Tribal Areas.

48. **Mr. Mangi** (Pakistan) said that, although the Government had provided provincial authorities with training on how to compile and manage databases, no province-specific statistical data were as yet available. Data on criminal offences, disaggregated by sex, had, however, been compiled by the Ministry of the Interior. The Government was about to launch an initiative to compile data on the human rights situation throughout the country, which would be used to produce specific indicators for children's rights that could be monitored by the relevant committees of the national Parliament.

49. A programme to address the problem of child malnutrition in Pakistan would be launched in the near future. Clear guidelines were in place for the protection of children and vulnerable communities in the event of a natural disaster and the National Disaster Management Authority received a generous budget allocation.

50. In March 2016, a bill to amend Pakistani criminal law to afford children greater protection against violence had been passed by the national Parliament and was pending adoption by the Senate. The bill repealed the provisions of the Penal Code that had previously permitted the use of corporal punishment and criminalized acts of cruelty and ill-treatment committed against children. Inflicting corporal punishment on children was now prohibited in all settings. Campaigns to raise public awareness of the need to end violence against children had also been launched.

51. To facilitate the implementation of the Convention throughout the national territory, the Prime Minister had approved a proposal to establish special provincial cells responsible for overseeing application of the provisions of the international human rights treaties ratified by Pakistan. The provincial implementation cells were required to submit a periodic report on their progress to the central Government.

52. The Government had organized a number of awareness-raising campaigns in the form of seminars for young people and university students. As part of its efforts to combat violence against children, it had developed handbooks and best practices for the prevention of corporal punishment, child abuse, early marriage and trafficking in children. A national action plan for children was currently being devised. There were also plans to create a public human rights institute that could serve as a think tank on children's issues.

53. **Ms. Muhamad Shariff** asked why the Criminal Law Amendment Act still allowed the perpetrators of honour killings to escape prosecution by the State if they agreed to pay blood money (*diyat*) and the family of the victim waived its right to seek retribution (*qisas*). She would welcome an explanation of the practice of *karo-kari*, or honour killing, and a clarification of the role played by the *jirga*, the tribal council of elders.

54. **Mr. Nelson** said that the State party's lifting of its moratorium on the death penalty for terrorist crimes was troubling in view of its broad definition of what constituted terrorism. He asked whether the 2012 amendment allowing the country's antiterrorism courts to act as juvenile courts was still in place or whether that amendment had been repealed. Were minors tried as adults in antiterrorism courts?

55. **Mr. Tahir** (Pakistan) said that a bill currently before the Parliament would repeal the provisions that allowed the courts to avoid trying and sentencing the perpetrators of

honour killings. "*Karo-kari*", which was the term for honour killing used in parts of Pakistan, had been a crime for years, and the *jirga*'s authority as an arbiter of justice was limited by law to the resolution of certain minor disputes.

56. The country's definition of terrorism might appear very broad, but an international expert had found that what Pakistani law considered a terrorist crime was not altogether different from what the laws of such jurisdictions as the United Kingdom of Great Britain and Northern Ireland or the United States of America, which, unlike Pakistan, were not a theatre of war, considered terrorist crimes. Some extraordinary measures were set to lapse in June 2016.

57. He would endeavour to find information on the number of minors being tried by the country's antiterrorism courts. Although separate court facilities had not been built to try minors, and judges who heard cases involving adults also heard cases involving minors, the procedures were separate.

58. **Ms. Parsi** said that she wished to know the approximate number of abandoned children in Pakistan. She also wished to know what plans the Government had made to amend the Guardians and Wards Act of 1890; whether it intended to increase outlays for the provision of psychosocial services to marginalized families; when it planned to finish its comprehensive evaluation of the psychosocial and mental health needs of Pakistani children; what was being done to ensure that residential institutions for children operated to ever-higher standards and that the officials responsible for supervising such institutions were properly trained; and whether community-based services were being developed to offer a family environment to children placed in orphanages.

59. She asked why so few rapes of usually female children were reported, and why so few of the reports resulted in prosecution and conviction. It would be interesting to know what the State party was doing to enforce and improve existing laws with a view to protecting children, and particularly girls, from sexual abuse and exploitation, which were rife. She also wished to know what measures were being taken to combat corruption among police officers, who were often the perpetrators of sexual violence against children.

60. **Ms. Aho Assouma** asked what measures the State party was taking to combat the stigmatization and discrimination faced by children with disabilities, many of whom had no choice but to turn to begging or prostitution, and to implement its inclusive education policies more fully. Information on any programmes that sought to involve communities in the care of children with disabilities would be welcome.

61. She wondered what was being done to ensure that health-care workers administering vaccines could work safely and that all children, but particularly children in Balochistan, where immunization rates were lower, were vaccinated against polio, which was still endemic. In addition, she wished to know what plans had been made to lower the high rates of malnutrition, particularly in remote areas; to alleviate the devastating impact of the drought in Tharparkar District; and to address the high frequency of deaths from pneumonia and diarrhoea among children in Pakistan. What efforts had been made to increase the small percentage of children with reliable access to potable water and proper sanitation?

62. She would welcome maternal mortality statistics broken down by age range, information about any action taken to offer free treatment for obstetric fistulae, which was one of the causes of maternal mortality, and an explanation as to why such a large percentage of infants were bottle- rather than breastfed. Was it that the State party did not fully subscribe to the International Code of Marketing of Breast-milk Substitutes, or that health-care workers were bribed to offer substitutes to new mothers? She would also like

additional information about the development of the baby-friendly hospital initiative in the State party and about the activities and budgets of the Infant Feeding Boards.

63. Turning to the topic of adolescent health, she wondered whether steps were being taken to ensure that abortions could be performed safely. She would welcome a comment from the delegation on the situation of unwed pregnant women, who evidently faced the death penalty if they had an abortion. What was being done to ensure that girls had access to family planning and, more generally, to change old mentalities?

64. She wished to know whether surveys showing that children in the State party were not heavy users of alcohol and tobacco were accurate, and whether the State party had a programme to combat addiction to opiates, which was widespread in the State party and could lead to an increase in HIV infection. She would welcome details of any efforts to prevent suicide among young people, and any attempts to end the practice of using children as camel jockeys, as well as information about the avenues of recourse available to girls forced into marriage before reaching the age of 16 years and the State party's efforts to combat child marriage and come to the aid of child brides.

65. She would also welcome information about the State party's budget for AIDS-related issues and the HIV/AIDS prevalence rate. In that connection, she wondered what efforts had been made to prevent mother-to-child transmission; what the State party was doing to address the situation of the approximately 100,000 HIV-positive people living in Karachi; whether there were national and provincial programmes to combat HIV/AIDS; and, if so, how those programmes operated. Relevant statistics would be especially welcome.

66. **Mr. Nelson** asked what measures had been taken, in addition to the establishment of the Sabawoon Rehabilitation Centre, to reintegrate former child soldiers and prevent radical groups from recruiting Pakistani children. He also wished to know whether Pakistan had shelters for victims of trafficking and prostitution; whether there were any toll-free hotlines that could be used by child victims of crime; whether the State party's judges had received the training necessary to hear cases involving minors; when a proper juvenile justice system would be in place; why juvenile judges were permitted to dispense with the presence of the child during a hearing; and why the Juvenile Justice Ordinance contained a provision on the appearance in court of children who were physically or mentally ill. In general, the burden of proving the age of a person whose date of birth was not known with certainty should be borne by the State. Any related documents produced by the person in question should be presumed valid. The age of criminal responsibility in Pakistan was too low; raising it to 12 years would bring Pakistan into compliance with the Convention in that regard.

67. Lastly, he asked what was being done to ensure that detained minors and adults were systematically held in separate facilities and what measures had been taken to enforce the laws prohibiting *jirgas* and other informal tribunals from handing down sentences.

68. **The Chair** said that no country had a larger number of refugees — some 1.5 million — living in what was referred to as a protracted refugee situation than Pakistan. The State party's efforts to host such large numbers were commendable, but he wondered what the authorities planned to do to address the situation of the many refugees, almost half of whom were minors, who lacked birth certificates. How did it intend to address the statelessness of large numbers of child refugees?

The meeting rose at 6 p.m.